



*Committee on International Freedom of Scientists
of the American Physical Society
One Physics Ellipse, College Park, Maryland 20740, USA*

28 May 2010

CIFS 2010

Chair

NOEMI MIRKIN
University of Michigan

Past Chair

MICHAEL RAMSEY-MUSOLF
University of Wisconsin, Madison

GERRY M. BUNCE

SÉBASTIEN FRANCOEUR
École Polytechnique

ANDREW GROSSO
Andrew Grosso & Associates

ANDREW KENT
New York University

KYLER KUEHN
Argonne National Laboratory

YOUSEF MAKDISI
Brookhaven National Laboratory

VAHID RANJBAR
Tech-X Corporation

GEORGE TYNAN
University of California, San Diego

Liaisons from the APS:

AMY K. FLATTEN
Director of International Affairs

MICHELE IRWIN
*International Programs
Administrator*

Dr. Hamid Reza Haji Babaie, Minister of Education
Tehran, Ferdowsi square, Shahid-Sepahbod Gharni street,
before crossing point of Sameih,
The Central building of Ministry of Education
hajibabae@medu.ir

Dear Dr. Babaie:

I write on behalf of the Committee on the International Freedom of Scientists (CIFS) of the American Physical Society (APS). The APS is an international professional society, independent of any government and dedicated to the advancement of physics and the profession of physicists. CIFS is charged by the APS with monitoring the human rights of scientists throughout the world, so as to insure that they may freely pursue the knowledge which can be of benefit to their countries as well as to the global community and humanity.

Our committee is concerned about reports of policies and practices in Iran that deny the admittance of Baha'i students to universities and other institutions of higher education, and reports that those who do manage to enroll are then expelled during their first year. We understand that such students are told that, by law, Baha'is have no right to post-secondary education.

The more recent expulsions about which we have been informed occurred at Tarbiyyat Moallem University in Tehran, where two Baha'i students were permitted to get to their eighth semester but then, in February, were finally expelled. Other expulsions have occurred in Semnan, Zanjan, Yazd, Gonbad, Khoramshahr, and Chabahar. There are additional reports of youths being refused enrollment in high schools – and even primary schools. Recently, an eighth-grader who won a key competition, and thus automatically qualified for a school for the gifted, was denied admission because of her religion.

Denying anyone access to education based upon their personal convictions is rightly considered to be deplorable, whether these convictions are religious or political, and in the long run such policies serve to undermine not only human rights but also future benefits to that country at issue and to the world at large. In addition such actions are in direct contravention to several international treaties which Iran is a signatory,

namely The International Covenant on Civil and Political Rights¹, The International Covenant on Economic, Social and Cultural Rights² and in particular The Convention on the Rights of the Child³ which in article 28 explicitly address the rights of a child to education and in 1c, with making “higher education accessible to all on the basis of capacity.”

We strongly urge that your ministry investigate these reports and, if such policies and practices are indeed in place and being pursued, to then take all necessary and prompt action to eliminate such policies and practices and come into compliance with worldwide treaty obligations.

Sincerely,



Noemi Mirkin
Chair

¹ The "International Covenant on Civil and Political Rights"

Article 18 states:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 19 states:

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

² The International Covenant on Economic, Social and Cultural Rights

Article 13 states:

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.
2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
 - (a) Primary education shall be compulsory and available free to all;
 - (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
 - (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
 - (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not

received or completed the whole period of their primary education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph I of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

³ The Convention on the Rights of the Child

Article 28 states:

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.